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IN MONROE, LA.  
AUG 08 2011  
TONY R. MOORE, CLERK  
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

ROSELIN TOUSSAINT

\* CIVIL ACTION NO. 11-0436  
Section P

VERSUS

\* JUDGE ROBERT G. JAMES

JOHN SMITH (WARDEN)

\* MAG. JUDGE KAREN L. HAYES

**J U D G M E N T**

The Report and Recommendation of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED that the Motion to Dismiss [Doc. No. 12] filed on behalf of respondents is **GRANTED**, and that the Petition for Writ of *Habeas Corpus* is hereby **DISMISSED** **WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

MONROE, LOUISIANA, this 8 day of August 2011.

  
ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE